

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

PAUL N. WARE and FINANCIAL
SYSTEMS INNOVATION, L.L.C.,

Plaintiffs,

v.

AVIS BUDGET CAR RENTAL, LLC,
COMPUSA, INC., FOSSIL, INC.,
BARNEY'S, INC., BEN BRIDGE-
JEWELER, INC., BIG LOTS STORES,
INC., DIESEL U.S.A., INC., PUMA
NORTH AMERICA, INC., SAFEWAY,
INC., THE SWATCH GROUP (U.S.),
INC., ZARA USA, INC.,

Defendants.

CIVIL ACTION NO. 3:07-CV-1590-K

JURY TRIAL DEMANDED

**PLAINTIFFS' NOTICE OF DISMISSAL WITH PREJUDICE
AS TO DEFENDANT AVIS BUDGET CAR RENTAL, LLC**

Plaintiffs Paul N. Ware and Financial Systems Innovation, LLC ("Plaintiffs") hereby dismiss their claims against Defendant Avis Budget Car Rental, LLC in accordance with Federal Rule of Civil Procedure 41(a)(1)(i). Defendant Avis Budget Car Rental, LLC has not filed an answer or other responsive pleading. The dismissal of Avis Budget Car Rental, LLC is made with prejudice.

Plaintiffs have not released, and nothing in this Notice should be construed as a release or discharge of, any claim Plaintiffs have or may have in the future against any other Defendant named in this action or any other asserted infringer of the patent-in-suit. All other rights have been and are expressly reserved.

August 17, 2009.

Respectfully submitted,

/s/Anthony G. Simon
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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of August, 2009, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Texas, Dallas Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/Anthony G. Simon
Anthony G. Simon